

LAW OFFICES OF

Aidala, Bertuna & Kamins, P.C.

ARTHUR L. AIDALA
 MARIANNE E. BERTUNA
 HON. BARRY KAMINS (RET.)
 JOHN S. ESPOSITO
 DOMINICK GULLO
 MICHAEL T. JACCARINO
 IMRAN H. ANSARI
 ANDREA M. ARRIGO

SENIOR COUNSEL
 LOUIS R. AIDALA
 JOSEPH P. BARATTA

546 FIFTH AVENUE
 NEW YORK, NY 10036
 TELEPHONE: (212) 486-0011
 FACSIMILE: (212) 750-8297
 WWW.AIDALALAW.COM

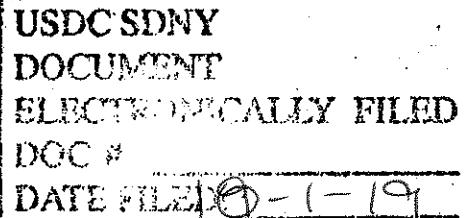
8118-13TH AVENUE
 BROOKLYN, NEW YORK 11228
 TEL: (718) 238-9898
 FAX: (718) 921-3292

OF COUNSEL
 JOSEPH A. BARATTA
 JENNIFER CASSANDRA
 PETER W. KOLP
 WILLIAM R. SANTO
 PETER S. THOMAS

October 1, 2019

VIA ECF

Honorable Loretta A. Preska
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007



Re: *Giuffre v. Dershowitz*, Case No. 19-Civ-3377-LAP
 Opposition to Plaintiff's September 26, 2019 Request

Dear Judge Preska,

In her letter of September 26, 2019, Plaintiff's counsel requests that the Court issue an Order directing Defendant to (a) provide the Plaintiff a "complete and unaltered copy" of the audio tape as transcribed in Defendant's filing under seal, and (b) provide the Plaintiff a "complete certified transcript of the entire recording...promptly."

Defendant objects to these requests in that they prematurely and improperly seek pre-answer discovery while dispositive motions are pending before the Court. If the Court so desires, Defendant will provide *the Court* these materials, under seal and for *in camera* review. Yet simultaneously providing Plaintiff unfettered access to this evidence, before issue is joined and discovery is commenced pursuant to F.R.C.P. Rule 26, creates a risk of substantial prejudice to the Defendant.

Should the Court be inclined to grant the Plaintiff's request, then in turn, Defendant respectfully requests that the Court permit Defendant to seek limited and expedited pre-answer discovery of his own. To wit, Defendant will seek (a) the unsealing of the transcript of Plaintiff's deposition testimony taken during the *Edwards & Cassell v. Dershowitz* action; (b) the unsealing of the emails of Sarah Ransome that are contained in the record of the *Giuffre v. Maxwell* action; and (c) the unsealing of the legal brief submitted by Sharon Churcher that is contained in the record of the *Giuffre v. Maxwell* action. To permit Plaintiff to benefit from pre-answer discovery at this time, while denying the Defendant the same privilege, is inequitable, and Defendant should be afforded the same right.

Denied

SO ORDERED

Loretta A. Preska
 LORETTA A. PRESKA
 Counsel for Plaintiff (via ECF)
 UNITED STATES DISTRICT JUDGE

Respectfully Submitted,

Imran H. Ansari